

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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UNITED STATES OF AMERICA

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA
BRENDA J. PENN

CR. NO. 2:05CR315-W
(18 U.S.C. 641)

INFORMATION

The United States Attorney charges:

COUNT

On or about the 26th day of November 2005, at the Army Air Force Exchange Service (AAFES), at Maxwell Air Force Base, in the Middle District of Alabama, **BRENDA J. PENN** did steal merchandise of a value of less than one thousand dollars (\$1,000.00), the property of the United States, in violation of Title 18, Section 641, United States Code.

LEURA CANARY
United States Attorney

Kent Brunson
KENT BRUNSON
Assistant United States Attorney

NEAL B. FRAZIER
NEAL B. FRAZIER
Special Assistant United States Attorney
HQ AU/JA
50 LeMay Plaza South
Maxwell AFB, AL 36112-6334
Telephone: 334-953-2786/2789
Fax: 334-953-2787

STATE OF AMERICA

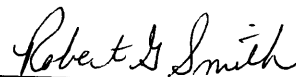
COUNTY OF MONTGOMERY

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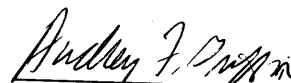
The undersigned, being first duly sworn, deposes and says:

I, ROBERT G. SMITH, am employed by the Army Air Force Exchange (AAFES) at Maxwell Air Force Base as a store detective. On or about 26 November 2005, via closed circuit video monitors, I observed BRENDA J. PENN pick out several items of jewelry from a display in the BX. PENN then placed the jewelry in a flyer. PENN then folded up the flyer and placed it in the bottom of her shopping cart. PENN continued to shop. PENN went through the checkout line where she paid for several of the items in the cart. PENN did not pay for the jewelry that was hidden in the flyer. PENN then left the store. I detained her in the lobby and escorted her to the manager's office. PENN denied that the cart was hers. The sales flyer was clearly visible in the bottom of the cart. Security forces responded. PENN was left unattended in an office while security forces viewed the tape. When security forces returned to the office, the flyers in the cart were empty. Upon searching the office, the following jewelry was found in the corner: 1 bracelet @ \$18.99; 1 bracelet @ \$9.99; 2 necklaces @ \$7.99 each; 3 necklaces @ \$12.99 each; 1 necklace @ \$22.99; and 1 necklace @ \$11.99. The total value of all the items she took, but did not pay for, was \$118.91.



ROBERT G. SMITH

Subscribed and sworn to before me this 13th day of December, 2005.



AUDREY F. GRIFFIN

Notary Public

State of Alabama

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: July 19, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS